

**IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF PENNSYLVANIA**

**J.S., a minor, by and through
her parents, TERRY SNYDER and
STEVEN SNYDER, individually and
on
behalf of their daughter,**

Plaintiffs,

V.

BLUE MOUNTAIN SCHOOL DISTRICT.

Defendant.

: CIVIL ACTION NO.
: 07-CV-585

: JUDGE:
: JAMES M. MUNLEY

: ELECTRONICALLY FILED

JOINT STATUS REPORT

Plaintiffs, J.S., and her parents, Terry Snyder and Steven Snyder, and Defendant, Blue Mountain School District (hereinafter referred to as “District”), through their respective undersigned counsel, hereby jointly submit the following status report and so aver:

As this Court is aware, the Third Circuit Court of Appeals reversed and remanded this Court's judgment on J.S.'s First Amendment free speech claim but affirmed this Court's judgment that the District's policies were not overbroad or void-for-vagueness, and that the District did not violate the Snyders' Fourteenth Amendment substantive due process rights.

The District intends to file a Writ of Certiorari with the United States Supreme Court with respect to the Third Circuit's judgment regarding J.S.'s First Amendment free speech claim. Accordingly, both parties request that this Court take no action, in terms of further scheduling, until the Supreme Court either denies the Writ or decides the case on the merits.

Depending on how the Supreme Court disposes of this matter, the remaining issues that may have to be decided in this matter are the issues of Plaintiffs' attorney's fees, injunctive relief and compensation for J.S. If the parties cannot agree to appropriate compensation amongst themselves, a trial will be necessary to determine damages for J.S. and Plaintiffs' counsel will need to submit a Fee Petition for attorney's fees. Therefore, at the appropriate time in the future, the parties will contact this Court and inform the Court further action is needed.

Respectfully submitted,

SWEET, STEVENS, KATZ & WILLIAMS LLP

AMERICAN CIVIL LIBERTIES UNION OF
PA

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